

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

IN RE:)
\$47,553.000 U.S. CURRENCY SEIZED) Case No. 1:20-mc-_____
)

**STIPULATION AND ORDER EXTENDING UNITED STATES’
TIME TO FILE COMPLAINT FOR FORFEITURE AND/OR
OBTAIN INDICTMENT ALLEGING FORFEITURE**

It is hereby stipulated by and between the United States of America and claimant Robert Whitley, IV (“claimant”), by and through their respective attorneys, as follows:

1. On July 29, 2020, the claimant, through counsel, filed a claim in the administrative forfeiture proceedings with Drug Enforcement Agency (DEA) with respect to the \$47,553.000 U.S. Currency (the “property”), which was seized on May 12, 2020.

2. DEA sent written notice of intent to forfeit required by 18 U.S.C. § 983(a)(1)(A) to all known interested parties, the time has expired for any person to file a claim to the property under 18 U.S.C. § 983(a)(2)(A)-(E), and no person other than the claimant has filed a claim to the property as required by law in the administrative forfeiture proceeding.

3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a complaint for forfeiture against the property and/or to obtain an indictment alleging that the property is subject to forfeiture within 90 days after a claim has been filed in the administrative forfeiture proceedings, which would make the deadline in this case October 27, 2020, unless the Court extends the deadline for good cause shown or by agreement of the parties.

4. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to extend the time in which the United States is required to file a complaint for forfeiture against the property and/or to obtain an indictment alleging that the property is subject to forfeiture, in order that the

parties may have a reasonable and sufficient period in which to evaluate their respective interests in and positions regarding the property.

5. Claimant knowingly, intelligently, and voluntarily gives up any right he may have under 18 U.S.C. § 983(a)(3)(A)-(C) to require the United States to file a complaint for forfeiture against the property and/or to obtain an indictment alleging that the property is subject to forfeiture by October 27, 2020, and any right he may have to seek dismissal of any complaint and/or any forfeiture allegation in an indictment on the ground that it was not filed or returned on or before such date.

6. The parties agree that the deadline by which the United States shall be required to file a complaint for forfeiture against the property and/or to obtain an indictment alleging that the property is subject to forfeiture shall be extended from October 27, 2020, to January 27, 2021. Any further extension shall be by agreement of the parties and in writing.

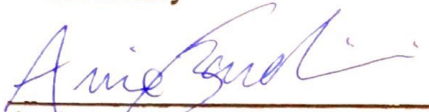
7. The claimant agrees that, until the United States files a complaint for forfeiture against the property and/or obtains an indictment alleging that the property is subject to forfeiture, by January 27, 2021, unless this deadline is later extend, whichever occurs first, the property shall remain in the custody of the United States and claimant shall not seek its return for any reason in any manner.

Dated this _____ day of _____ 2020.

UNITED STATES DISTRICT JUDGE

We ask for this:
G. Zachary Terwilliger
United States Attorney

By:



Annie Zanobini
California Bar No. 321324
Assistant United States Attorney
2100 Jamieson Avenue
Alexandria, Virginia 22314
Office Number: (703) 299-3903
Facsimile Number: (703) 229-3982
Email Address: annie.zanobini2@usdoj.gov



Robert Whitley, IV
Claimant